

RESOLUTION OF THE GOVERNING BODY OF  
THE THREE AFFILIATED TRIBES OF THE  
FORT BERTHOLD RESERVATION

- WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act; and
- WHEREAS, The Constitution of the Three Affiliated Tribes generally authorizes and empowers the Tribal Business Council to engage in activities on behalf of and in the interest of the welfare and benefit of the Tribes and of the enrolled members thereof; and
- WHEREAS, The Three Affiliated Tribes consider the preservation of their reservation land base, consisting of tribal and allotted lands, to be of the highest priority; and
- WHEREAS, The Three Affiliated Tribes consider the highest economic utilization of those above identified lands to be essential to the welfare and well-being of the Tribes and their members; and
- WHEREAS, The Three Affiliated Tribes are aware that the realization of these above goals are thwarted and threatened because of: (1) the existence of fractional heirship interests on the reservation; (2) the possibility of foreclosure by FmHA and other lenders on mortgaged allotted lands, (3) the failure to develop economic farming and ranching units; (4) the loss of all lands that will potentially increase the tribes economic base; and
- WHEREAS, The BIA has determined that approximately 161,000 acres of reservation lands are held in highly fractionated heirship interests that defeat the economic use of these lands, and
- WHEREAS, The federal policy set forth in the Land Acquisitions proposal at 25 C.F.R., Part 151 contemplates a tribal land acquisition program that should address the problems identified above; and
- WHEREAS, The Legal Department and the Natural Resources Department has advised the Business Council that such a Land Acquisition Plan could be developed that will reduce or eliminate these problems on the Fort Berthold Reservation;
- NOW, THEREFORE, BE IT RESOLVED, That the Legal Department and the Natural Resources jointly develop a proposal to the Bureau of Indian Affairs for the funding necessary for the development of such a plan;

PROPOSAL TO DEVELOP A LAND ACQUISITION PLAN  
FOR THE FORT BERTHOLD RESERVATION

I. INTRODUCTION

The Three Affiliated Tribes hereby propose to contract the amount of \$37,000 from the B.I.A. for the purpose of developing a tribal land acquisition plan consistent with the Indian Land Consolidation Act and the federal regulations governing Indian land acquisitions 25 CFR, part-151. This Request for Funding (RFP) sets forth the nature and scope of this contract as well as providing justification for the budgeted use of the funds.

II. SCOPE OF THE PROBLEM

The Three Affiliated Tribes, as well as the federal government, have long recognized that a reasonable land consolidation plan is fundamental to the protection and preservation of the Tribes' most important asset - its land and its territory. The B.I.A. records show that this particular asset is being threatened by the process of heirship fragmentation, the mortgaging of allotted lands as security for FmHA loans, and the failure to develop feasible farming and ranching units on the reservation. Over 161,000 acres of allotted lands are held in severely fractionated ownership among many tribal heirs. It is not unusual for the B.I.A. to write rental checks in the amount of several cents. The paper work costs of writing and printing these checks far exceed the value of the lease payment involved.

The economic and social effects of this fragmentation and the debt credit crisis call for an innovative approach to restoring the tribal land base to a position of full and fair tribal economic utilization. The goal of the land acquisition effort on Fort Berthold is to prove an integrated land base so that tribal members and their future heirs will have reasonable incentive to develop and utilize their lands themselves. This proposal calls for an indepth analysis, through the use of computer research techniques, of the land utilization barriers on the Fort Berthold Reservation. A descriptive analysis of the extent of the heirship problem and debt credit crisis is essential. This analysis will lay the basis for the development of strategies and approaches that will be aimed at doing two things:

1. to facilitate land consolidation efforts by individual tribal members and the tribe - efforts that will maximize the economic value of their land holdings.
2. to provide alternatives for tribal members who wish to exchange or otherwise relinquish their minimal heirship interests for a share consolidated landholding.

### III. WORKPLAN

The land development acquisition plan will extend over a period of six (6) months. It will address the reduction or elimination of the heirship problem on the Fort Berthold Reservation. The main thrust of this effort will be to develop economic and legal strategies to be implemented by the Three Affiliated Tribes and the B.I.A. Such a strategy is contemplated by the federal policy expressed in the Indian Land Consolidation Act and the governing federal regulations.

The economic analysis will be performed by Dr. William D. Gorman, an agricultural economist from New Mexico State University. He will have the responsibility for analyzing, organizing, and interpreting the data to be gathered by the tribal Natural Resource Department. The Legal Department, in cooperation with Dr. Gorman, will develop the legal strategies to address each facet of the problem after the economic analysis is completed.

### IV. BUDGET JUSTIFICATION

The following budgeted amount will ensure that the Three Affiliated Tribes have sufficient contract monies to carry out their responsibilities.

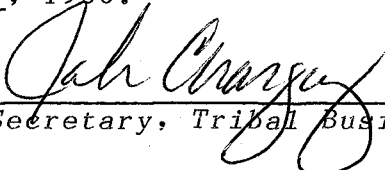
A.	<u>Economic Analysis</u> Dr. Gorman and his staff at New Mexico State University will have responsibility for developing the economic strategy and solution to the above identified problems.....	\$20,000.00
B.	<u>Legal Department</u> Develop legal strategies to the above problems after the economic analysis is completed.....	\$10,000.00
C.	<u>Natural Resource Department</u> NRD will have the responsibility of gathering data regarding the nature and scope of the identified problems on the Fort Berthold Reservation	\$ 7,000.00
	Budget Total	\$37,000.00

BE IT FURTHER RESOLVED, That the Legal Department and the Natural Resources Department submit such a proposal to the Tribal Business Council for its review and approval before transmitting it to the BIA. entitled Land Acquisition Plan.

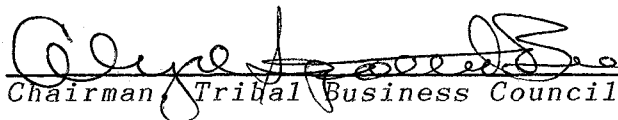
CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 11 members of whom 7 constitute a quorum, 11 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 17<sup>th</sup> day of JUNE, 1986; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 11 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated the 17<sup>th</sup> day of JUNE, 1986.

  
Secretary, Tribal Business Council

ATTEST:

  
Chairman, Tribal Business Council